

Tom Horne
Superintendent

N.E.W.S

ARIZONA DEPARTMENT OF EDUCATION

HORNE RESPONDS TO GOVERNOR'S CRITICISM OF *FLORES* APPEAL

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PHOENIX (March 22, 2006) -- State schools superintendent Tom Horne issued the following statement in response to Governor Napolitano's criticism of the superintendent's appeal of the Flores English language learner case:

"No one in this state has been a stronger advocate for more resources for education than I have my entire political career, beginning in 1978. Specifically, no one has been a more passionate advocate for teaching students English than I have.

In the matter of the Flores lawsuit, the court has called for the legislature to pass a funding bill that is scientifically-based and directs funding to where it is needed most. The bill that passed this month meets that test and does not allow for taxpayer dollars to be distributed helter-skelter. This is clearly the most common-sense method for funding English language learners because it directs the money to the point of need.

My appeal of the lower court ruling to the U.S. Ninth Circuit Court of Appeals also addresses the unconstitutional method by which the fines assessed in this case would be directed to the classroom. Those fines are taxpayer dollars that have not been appropriated by the legislature and the method by which they would be distributed is unclear at best. I believe I am honor-bound as an elected official to ensure that every action undertaken by my office is constitutional, therefore I have asked the Ninth Circuit to consider this important question."

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